

BILL NO. S-74-05-19


SPECIAL ORDINANCE NO. S- 75-74

AN ORDINANCE approving a contract with JOHN
DEHNER, INC. for Phenie Street Project

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

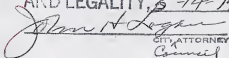
SECTION 1. A certain contract dated April 15, 1974 between the City
of Fort Wayne, by and through its Mayor and the Board of Public Works and
JOHN DEHNER, INC., for:
City's share for paving and sewer installation on Phenie
St., as set forth in Agreement with Essex International,
Inc. \$11,674.20
all as more particularly set forth on Purchase Order No. 3-24111, which is by
reference incorporated herein and made a part hereof, is hereby in all things
ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and
after its passage and approval by the Mayor.



Councilman

APPROVED AS TO FORM
AND LEGALITY. 5-14-74


CITY ATTORNEY
Council

Read the first time in full and on motion by Moses, seconded by Zeng, and duly adopted, read the second time by title and referred to the Committee on Public Works (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 5-14-74

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Moses, seconded by Zeng, and duly adopted, placed on its passage. Passed (~~lost~~) by the following vote:

	AYES <u>9</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT _____ to-wit:
BURNS	<u>X</u>	_____	_____	_____
HINGA	<u>X</u>	_____	_____	_____
KRAUS	<u>X</u>	_____	_____	_____
MOSES	<u>X</u>	_____	_____	_____
NUCKOLS	<u>X</u>	_____	_____	_____
SCHMIDT, D.	<u>X</u>	_____	_____	_____
SCHMIDT, V.	<u>X</u>	_____	_____	_____
STIER	<u>X</u>	_____	_____	_____
TALARICO	<u>X</u>	_____	_____	_____

DATE: 5-28-74

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 5-75-74 on the 28th day of May, 1974.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of May, 1974, at the hour of 11:00 o'clock A. M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P. M., E.S.T.

Sam A. Schamp
MAYOR

Bill No. S-74-05-19

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance
approving a contract with JOHN DEHNER, INC. for Phenie
Street Project

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance DO PASS.

Winfield C. Moses, Jr - Chairman

John Nuckols - Vice-Chairman

James S. Stier

William T. Hinga

Vivian G. Schmidt

Wm. T. Moses Jr.
John Nuckols
James S. Stier
William T. Hinga

DATE 5-28-74 CONCURRED
CHARLES W. WESTERMAN, CLK.

CITY OF FORT WAYNE
DEPARTMENT OF PURCHASES
NUMBER ONE EAST MAIN STREET
ROOM 950
FORT WAYNE, INDIANA 46802

PURCHASE ORDER NUMBER

3- 24111

MAIL ALL CORRESPONDENCE, CLAIM VOUCHERS ETC. TO:

Board of Public Works
One Main St. 9th Flr.
Ft. Wayne, Indiana

John Dehner, Inc.
1206 Clark St.
Ft. Wayne, Indiana

DELIVER TO:-

DEPARTMENT _____
OR DIVISION Same as above

ADDRESS _____
CASH DISCOUNT TERMS _____ % IF PAID WITHIN _____ DAYS FROM DELIVERY AND
ACCEPTANCE OF GOODS OR PERFORMANCE OF SERVICES. (DEDUCTION FOR DISCOUNT SHOWN BELOW)

DATE April 15, 1974

REF. NO. _____

REQ. NO. 1074

THE ABOVE INFORMATION MUST APPEAR ON
ALL INVOICES, BILLS OF LADING, DELIVERY
TICKETS, PACKAGES AND CORRESPONDENCE.
INVOICE IN DUPLICATE.

THIS PURCHASE ORDER ISSUED BY:

DEPT. DP

DATE
WANTED }

APPROPRIATION
AND FUND
NUMBER } 663-261

QUANTITY ORDERED	UNIT	MATERIALS, SUPPLIES OR SERVICES	UNIT PRICE	AMOUNT
TAX EXEMPT (UNLESS OTHERWISE INDICATED)				
<p>COMPLIANCE WITH THE DELIVERY DATE REQUESTED WILL AVOID "FOLLOW UP" CORRESPONDENCE.</p> <p>NOTE</p> <p>↓ READ</p> <p>INSTRUCTIONS ON THE BACK OF THIS ORDER</p> <p>THE CONTRACTOR OR VENDOR, BY ACCEPTING THIS ORDER, AGREES TO THE GENERAL CONDITIONS AND TERMS OF AGREEMENT ON THE BACK OF THIS ORDER.</p> <p>UNLESS OTHERWISE INDICATED THE PRICES SHOWN INCLUDE ALL CHARGES FOR DELIVERY, PACKING, ETC., NECESSARY TO COMPLETE DELIVERY TO DESTINATION SPECIFIED.</p> <p>UNLESS OTHERWISE INDICATED THE PRICES SHOWN DO NOT INCLUDE TAXES OF ANY KIND.</p> <p>EXEMPTION BLANKS WILL BE FURNISHED WHEN NECESSARY.</p> <p>IND. SALES TAX EXEMPT. CERTIF. NO. 34508</p> <p>IF THIS ORDER DOES NOT AGREE WITH YOUR QUOTATION, KINDLY RETURN IT WITH AN EXPLANATION.</p>				
		<p>Covering City's share for paying and sewer installation on Phenie St., as set forth in Agreement with Essex International, Inc. Contract let by Essex in total amount of 123,676.54</p> <p>22,674.20</p> <p>Subject to Councilmanic Approval</p> <p><i>APPROVED BY VENDOR</i> <i>Bohr</i> <i>Jeff D. Lowell</i> <i>Ronald A. Brown</i> <i>Edward D. Edwards</i></p>		

I HEREBY CERTIFY THAT THE COST OF THE ABOVE PURCHASE IS FULLY COVERED BY UNENCUMBERED BALANCES IN THE ABOVE FUNDS AND THAT THE EXPENDITURE THEREOF HAS BEEN DULY AUTHORIZED AND APPROPRIATED.

I HEREBY CERTIFY UPON MY OWN PERSONAL KNOWLEDGE THAT THIS ORDER IS AUTHORIZED BY A PROPERLY EXECUTED AND APPROVED RESOLUTION ON FILE IN THIS OFFICE.

City Controller **EDWARD G. KAMNIKAP**

Director of Purchases

Per

Per

THIS AGREEMENT, dated this 11th day of April, 1974, by and between ESSEX INTERNATIONAL, INC. and the CITY OF FORT WAYNE.

WHEREAS, the Board of Public Works of the City of Fort Wayne have vacated portions of certain streets in the City of Fort Wayne, the same being more particularly described in Declaratory Resolution No. 1328-72 of the Board of Public Works of the City of Fort Wayne, which resolution is by this reference incorporated herein, and

WHEREAS, Essex has agreed upon the approval, ratification and confirmation of Declaratory Resolution No. 1328-72 it would pave a portion of Phenie Street, and

WHEREAS, a contract has been let to John Dehner, Inc. for the re-paving of Phenie Street from Wall Street to Taylor Street together with the installation of a new storm sewer therein for the sum of \$123,676.54

NOW, THEREFORE, it is mutually agreed as follows:

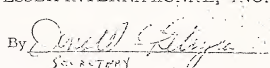
- (1) Essex International, Inc. will maintain the sewer and the paving for one block of Phenie Street between Wall and Swinney Streets;
- (2) The City of Fort Wayne shall maintain the sewer and the paving for the two blocks of Phenie Street between Swinney and Taylor Streets;
- (3) Essex International, Inc. shall pay the contractor, John Dehner, Inc., \$101,002.34 of the contract price referred to above;
- (4) The City of Fort Wayne shall pay the contractor, John Dehner, Inc., \$22,674.20 of the contract price referred to above. This shall be paid out proportionately to the Essex balance of payment to Dehner with ten (10%) percent being a retained fund until satisfactory completion of the project;
- (5) The City of Fort Wayne shall provide supervision, inspection, permits and construction engineering without cost.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 11th day of April 1974.

THE CITY OF FORT WAYNE

By 
Donald L. Brown

ESSEX INTERNATIONAL, INC.

By 
SECRETARY

DIGEST SHEET

8-74-05-19

TITLE OF ORDINANCE: Civil City P.O. #3-24111 to John Dehner - Phenie Street ProjectDEPARTMENT REQUESTING ORDINANCE: Board of Public Works

SYNOPSIS OF ORDINANCE: Pursuant to the vacation of Wall and Phenie Streets,
Essex International has provided the City with easement rights and has taken
bids for the paving of Phenie Street from Wall Street to Taylor Street together
with storm sewer installation. Cost of the entire project is \$123,676.54. The
City has agreed to pay a portion of the project cost in the amount of \$22,674.20.
This Ordinance is for approval of Civil City Purchase Order 24111 to John Dehner,
Inc. covering City's share of project.

EFFECT OF PASSAGE: Drainage and improvement of Phenie Street.EFFECT OF NON-PASSAGE: Failure of City to provide adequate storm drainage for
the improvement.

MONEY INVOLVED (Direct Costs, Expenditures, Savings): _____

\$22,674.20 to be paid from Sewer Relief Fund.

ASSIGNED TO COMMITTEE (J.N.): _____

Board of Works